



THE LEGAL AID SOCIETY

PUBLIC INFORMATION

15 Park Row, New York, New York 10038 (212) 577-3346 Fax # (212) 233-9859

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For more information, please contact Pat Bath 577-3346
Susan C. Bahn (718) 722-3100 ext. 2702
Home (718) 522-0997

State Supreme Court Justice Karla Moskowitz today released a decision finding that the shelter allowance paid to welfare recipients is insufficient for families to afford apartments in New York City. She ordered the State Department of Social Services "to develop and promulgate a schedule of shelter allowances that bears a reasonable relation to the cost of housing in New York City and is designed to enable families to be kept together" in their homes. At present, a family of three receives \$286 a month for housing, a family of four \$312.

The case, Jiggetts v. Dowling, was filed in 1987 against the state Department of Social Services by welfare recipients who maintained that the shelter allowance level was far below actual housing costs in New York City. In 1990, the Court of Appeals agreed with the plaintiffs that the State Social Services Law requires that the shelter allowance "bear a reasonable relation to the cost of housing in New York City" and sent the case back to Justice Moskowitz for a trial. Pursuant to an interim order by Justice Moskowitz, approximately 30,000 families in New York City currently receive a supplement to their shelter allowances that allows them to pay their full rent. The decision released today continues the payments to those families pending promulgation of a new shelter allowance schedule.

In her decision, Justice Moskowitz found that "[f]amilies do not have a realistic chance of finding an aptment within the allowance," and that the Department of Social Services' "failure to provide adequate shelter allowances through the years has resulted and results in families [being] unable to find decent housing, living in seriously substandrd housing, doubling-up or becoming homeless"

Susan C. Bahn, an attorney with The Legal Aid Society, which brought the lawsuit, said "For ten years, DSS has been trying to defend the indefensible, claiming that families can rent apartments in New York City for under \$300 per month. Now they should comply with the judge's decision by providing families with shelter grants that actually enable them to pay the rent."